IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

OP.No. 18767 of 1998(H)

PETITIONERS:
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1. NARANATH USMAN, MVA MEMORIAL MUNICIPAL SHOPPING COMPLEX 7, 11, 16, 13 ROOM NOS. 7, 11, 16, 13, CHAVAKKAD.

2. P.SAIDU MOHAMMED, MVA MEMORIAL MUNICIPAL SHOPPING COMPLEX, ROOM NOS.9, 12, 13, 14, 15 CHAVAKKAD.

3. P.A. ABDUL NAZAR, MVA MEMORIAL SHOPPING COMPLEX, ROOM NO.7, CHAVAKKAD.

4. M.K.KRISHNANKUTTY, M.V.A. MEMORIAL MUNICIPAL SHOPPING COMPLEX, ROOM NO.4, CHAVAKKAD.

5. THUFAIR P, ROOM NO.17, M.V.A. MEMORIAL SHOPPING COMPLEX, CHAVAKKAD.

6. T.P.MUSTHAFA, M.V.A. MEMORIAL SHOPPING COMPLEX, ROOM NO.2 AND A8, CHAVAKKAD.

7. K.V.ABDU, ROOM NO.XXII/777, OLD MUNICIPAL BUILDING, CHAVAKKAD.

8. V.M.MAMMY, ROOM NO.XXII/797. OLD MUNICIPAL BUILDING, CHAVAKKAD.

9. M.SAYDUTTY, M.V.A. MEMORIAL SHOPPING COMPLEX, ROOM NO.18, CHAVAKKAD.

10. P.K.PRASANNAN, ROOM NO.15, MVA MEMORIAL MUNICIPAL SHOPPING COMPLEX, CHAVAKKAD.

11. A.ABDUL JALEEL, M.V.A. MEMORIAL MUNICIPAL SHOPPING COMPLEX, ROOM NO.3, CHAVAKKAD.

12. ASHRAF P.V., ROOM NO.24, M.V.A. MEMORIAL MUNICIPAL SHOPPING COMPLEX, CHAVAKKAD.

13. T.V.ALIKUTTY, ROOM NO.23, MVA MUNICIPAL SHOPPING COMPLEX, CHAVAKKAD.

14. A.K.KUNHIMON, ROOM NO.22, MVA MEMORIAL MUNICIPAL SHOPPING COMPLEX, CHAVAKKAD.

15. K.K.MOHAMMADALI, ROOM NO.25, M.V.A. MEMORIAL MUNICIPAL SHOPPING COMPLEX, CHAVAKKAD.

16. P.T.AHAMMED, ROOM NO.21, M.V.A. MEMORIAL MUNICIPAL SHOPPING COMPLEX, CHAVAKKAD.

17. E.P.MOHAMMEDKUTTY, M.V.A. MEMORIAL MUNICIPAL SHOPPING COMPLEX, ROOM NO.19, CHAVAKKAD.

18. P.K.ABOOBACKER, ROOM NO.XXII/1813, OLD MUNICIPAL BUILDING, CHAVAKKAD.

19. R.V.MUSTHAFA, ROOM NO.8, M.V.A. MEMORIAL MUNICIPAL SHOPPING COMPLEX, CHAVAKKAD.

BY ADV. SRI.N.J.JOHNSON

RESPONDENTS:
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1. THE SECRETARY TO GOVERNMENT, MINISTRY OF LOCAL ADMINISTRATION, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. THE CHAIRMAN, THE CHAVAKKAD MUNICIPAL COUNCIL, CHAVAKKAD.

3. THE SECRETARY, CHAVAKKAD MUNICIPALITY. CHAVAKKAD.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JP

ORDER ON CMP NO.33121/1998 IN OP NO.18767/1998

DISMISSED

SD/-
K.BALAKRISHNAN NAIR, JUDGE

SD/-
20-9-07. T.R.RAMACHANDRAN NAIR, JUDGE

/TRUE COPY/

P.A. TO JUDGE

JP

K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

O.P. NO. 18767 OF 1998-H

Dated 20th September, 2007.

JUDGMENT

Balakrishnan Nair, J.

The point raised by the petitioners is covered against them by the decisions of this Court in **Abdulrahiman v. Tirur Municipality** [2001(2) KLT 716] and **Anandan v. Dy. Director of Panchayats** [2000(1) KLT 1]. In view of the above position the Original Petition is dismissed. The competent authority can recover the balance amount of stamp duty from the petitioners.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/\

K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

O.P.NO.18767/1998 – H

JUDGMENT

20.9.2007